REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

INDUSTRIAL LAMINATES/NORPLEX INC.
665 Lybrand Street
Postville, Iowa 52162
563-864-4232

EPA ID Number: IAD073489288

On

May 14, 2012

By

TETRA TECH EM INC.

For

U.S. ENVIRONMENTAL PROTECTION AGENCY
Region 7
Environmental Services Division

INTRODUCTION

At the request of the Environmental Services Division and the Air and Waste Management Division of the U.S. Environmental Protection Agency (EPA) Region 7, Tetra Tech EM Inc., (Tetra Tech) conducted a hazardous waste compliance evaluation inspection (CEI) at Industrial Laminates/Norplex Inc. (Industrial Laminates), located at 665 Lybrand Street, Postville, Iowa. The CEI was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA), as amended. As requested by the EPA compliance officer for the facility, the CEI covered hazardous waste generator requirements, used oil management, and universal waste requirements. This report and its attachments present the results of the RCRA CEI. Tetra Tech also conducted a Level B multimedia screening inspection at Industrial Laminates. The Multimedia Screening Checklist is included as Attachment 1.

PARTICIPANTS

Industrial Laminates:

Alan Johnson, Plant Manager
Tim Delaney, Product Development Engineer
Dixie Doeppke, Human Resources Director
Pat Harms, Facility Engineer
Dave Lensing, Production Manager

Tetra Tech:

Heather K. Wood, Geologist, 816-412-1787

INSPECTION PROCEDURES

Prior to the CEI at Industrial Laminates on May 14, 2012, I conducted a drive-by inspection. I did not observe any areas of concern during the drive-by. I entered the front entrance of the building and met the receptionist, who called Mr. Alan Johnson. Mr. Johnson escorted me to his office, where we were joined by Mr. Tim Delaney. I presented my business card and EPA credentials letter, and explained the procedures for the CEI. I also explained the facility's right to make confidentiality claims and provided Messrs. Johnson and Delaney the Confidentiality Notice (Notice), which they read. I stated that, at the conclusion of the CEI, they would be given an opportunity to make or not make a claim of confidentiality for the facility. I also provided Messrs. Johnson and Delaney a copy of U.S. Federal Code 1001 and 1002, concerning communication of false statements and documents to federal inspectors, and RCRA Section 3007, explaining my inspection authority. Both of these they read.

A copy of each of the following documents was left at the facility during the inspection:

- Inspection letter and EPA representative Mr. Gary Witkovski's business card
- U.S. Federal Code 1001 and 1002 and RCRA Section 3007
- EPA's "Instructions for Responding to a Notice of Preliminary Findings"
- EPA's "Supplemental Information for Small Businesses Subject to an U.S. EPA Enforcement Action"
- Iowa Department of Natural Resources (IDNR) "Iowa Environmental Guide for Business"
- EPA Small Business Ombudsman's "Publications for Small Businesses" (January 2006)
- EPA's "Hazardous Waste Requirements for Large Quantity Generators" (EPA530-F-96-032)
- EPA's "U.S. EPA Small Business Resources Information Sheet" (EPA-300-F-11-006)
- EPA's Compliance Assistance Centers "Innovative Solutions to your Environmental Challenges"
- IDNR's "Pollution Prevention Services"
- EPA's "Security Awareness for Agricultural/Industrial Facilities, Pipelines, Transporters, Utilities, Warehouse of Chemicals" (December 2001)
- "Commercial Motor Vehicle Transportation System Security & Safety: CMV Transportation Security Planning"
- EPA's "The National Compliance Assistance Clearinghouse"

- Iowa Waste Reduction Center's "On-Site Review Program"
- EPA's "RCRA Online: A Quick Reference Guide" (EPA530-F-08-005)
- EPA's "Industry Sector Notebooks" (EPA310-F-05-001)
- EPA's "Universal Wastes" (http://www.epa.gov/osw/hazard/wastetypes/universal).

I reviewed the RCRA Info Data Verification Handler Information Report with Mr. Johnson, and I updated the types of regulated activity and the hazardous wastes handled (see Attachment 2). I conducted the visual inspection of the facility, accompanied by Messrs. Johnson and Delaney. According to Mr. Johnson, I would not be allowed to take photographs in the compounding area, in the still room, or immediately adjacent to the polymer impregnation units (treaters) because of the risk of explosion from the flash. I was able to photograph the still room from outside the room. I also conducted a review of the facility's records, including manifests, biennial hazardous waste report, waste characterization documentation (including material safety data sheets [MSDS]), training documentation, and the contingency plan. Facility information gathered during the CEI is documented on the Data Gathering Worksheets and Checklists (see Attachment 3).

During the exit briefing at the conclusion of the CEI, Mr. Johnson and I were joined by Ms. Dixie Doeppke and Messrs. Pat Harms and Dave Lensing. I summarized my findings to Messrs. Johnson, Harms, and Lensing and Ms. Doeppke. I provided a Receipt For Documents And Samples, which Mr. Johnson signed, acknowledging receipt (see Attachment 4). I also provided Mr. Johnson the Notice, which he signed to indicate no confidential business information (CBI) had been provided (see Attachment 5). I then provided Mr. Johnson a Notice of Preliminary Findings (NOPF), which he signed to acknowledge receipt (see Attachment 6). A map of the facility is included as Attachment 7. Of the 34 photographs taken during the CEI, 32 are included in Attachment 8.

FINDINGS AND OBSERVATIONS

1. Facility Description and General Information

Industrial Laminates manufactures a variety of industrial-grade laminates. Paper or cloth (cotton, linen, or glass) are used as base materials to produce a laminated product. The raw material is impregnated with a phenolic or epoxy resin and finished with melamine or other surface coatings. Raw materials used by Industrial Laminates also include solvents, pigments, resins, and other polymers. The facility began operations at this location in approximately 1975.

Industrial Laminates currently employs approximately 185 full-time staff, working three 8-hour shifts from midnight to 8 a.m., 8 a.m. to 4 p.m., and 4 p.m. to midnight, Monday through Friday. Industrial Laminates occupies a main building with three large storage outbuildings, with approximately 148,000 square feet under roof altogether (see Attachment 7 and Attachment 8, Photographs 1 and 2). Tank storage for raw materials is all under roof.

Industrial Laminates uses dozens of formulations of laminating polymers. Raw materials are mixed in one of three compounding kitchens, one for epoxy #1, one for epoxy #9, and one for all other mixtures. Altogether, the facility has approximately 12 mixing vessels in the compounding areas. The mixed polymer is piped to one of eight treaters, two vertical and six horizontal. According to Mr. Delaney, the two vertical treaters are mostly dedicated to either #1 or #9 epoxy, whereas the horizontal treaters are used for a wider range of polymers.

The treaters are used to impregnate sheets of paper, cotton, linen, or glass cloth. The sheets are layered, pressed in a series of rollers, and baked off in an oven. According to Mr. Delaney, the polymer is recirculated through the treaters, and fresh material is added as it is consumed by the impregnating process. When the run is concluded, any remaining polymer ("scrap") is pumped out into a 55-gallon container. The pan and other equipment are cleaned with a solvent, usually acetone. For melamine treaters only, hot water is used. This spent solvent or wash water is also pumped out into a drum ("wash"). The melamine scrap and wash are considered hazardous based on process and product knowledge and testing; these are managed as a single waste stream (melamine waste). All other scrap (phenolic epoxy or anhydride scrap) is considered hazardous based on process and product knowledge and testing. Wiping and cleaning equipment also generates used solvent rags, which the facility considers hazardous based on process and product knowledge and testing. Cutting and shaping the finished product generates waste laminate, which is considered nonhazardous based on product and process knowledge.

The used wash solvent is classified, based on its formulation, into one of two categories: (1) "in-process materials" that can be reclaimed in an on-site distillation unit (still) (see Attachment 8, Photograph 3) or (2) waste, which is consolidated with the non-melamine scrap material. Whether the material can be reclaimed depends on the viscosity of the material and the ease with which it can be distilled. The facility has lists of materials that cannot be reclaimed posted throughout the facility; this sign was included as an attachment to the amendment to the facility's Biennial Report, which I reviewed before the inspection (see Attachment 9, Page 16). Used solvent designated for reclamation is accumulated in containers around the facility. The facility considers this used solvent a hazardous secondary material exempt from

the definition of solid waste (see Section 3). The still bottoms generated during the reclamation process are considered hazardous waste based on product and process knowledge. Any other solids generated during mixing or straining of raw materials are consolidated with the still bottoms.

The facility also has an on-site laboratory; this is used both for research and development (R&D) and quality control (QC). Activities in the laboratory also generate phenolic epoxy scrap, which is consolidated with the scrap from the production areas. Disposal of off-specification chemicals or used reagents generates laboratory waste, which the facility considers hazardous based on process and product knowledge.

The facility does not maintain any vehicles on site, including the facility's forklifts and forktrucks, which are maintained by an off-site contractor. Maintenance of the hydraulic rollers and presses generates used oil and used oil filters, which the facility considers nonhazardous and manages as used oil. Maintenance of the facility building and equipment generates used parts washer solvent, used batteries, and used lamps, which the facility considers hazardous, and empty containers (drums) and general trash, which the facility considers nonhazardous—all based on product and process knowledge.

The facility also generates hazardous waste from performing corrective action for contaminated groundwater. According to Mr. Johnson, groundwater beneath the facility had become contaminated with solvents when the facility was operated by Allied Signal. Groundwater is pumped from extraction wells and contained, pending analytical results. The facility considers this remediation-derived well water hazardous, based on analytical results, and it is collected from the facility for off-site disposal.

In May 2007, EPA contractor Tetra Tech conducted a CEI at Industrial Laminates. During the 2007 CEI, the following preliminary findings were made:

- Failure to close containers of universal waste lamps, as required by Title 40 *Code of Federal Regulations* (40 CFR) 273.13(d)(1).
- Failure to label five containers of universal waste lamps as "Universal Waste—Lamps," "Waste Lamps," or "Used Lamps" as required by 40 CFR 273.14(e).

2. RCRA Status

The RCRA Info Data Verification Handler Report provided by EPA (see Attachment 2) indicates that Industrial Laminates is a large quantity generator (LQG) generating more than 1,000 kilograms (kg) of hazardous waste per month. Based on my review of manifests, the 2011 Biennial Hazardous Waste

Report obtained before the CEI (see Attachment 9), and information provided by Messrs. Johnson and Delaney, I concluded that Industrial Laminates is operating as a LQG of hazardous waste. Per month, Industrial Laminates currently generates approximately 1,600 kg of non-melamine scrap (D001, F003, F005), approximately 2,400 kg of melamine waste (D001, F003, F005), and approximately 400 kg each of still bottoms (D001, F003, F005) and used solvent rags (D001, F003, F005). The facility is also a used oil generator and a small quantity handler of universal waste (accumulating less than 5,000 kg of universal waste at any time).

At the time of the CEI, the facility was storing hazardous waste in seven less-than-90-day container storage areas (CSA): (1) near Treater 1, (2) in the still room, (3) between Treaters 4 and 6, (4) adjacent to the interior extraction well, (5) adjacent to Treater 8, (6) adjacent to Treater 9, and (7) in the lean shed outbuilding. The facility also accumulates waste in four satellite accumulation areas (SAA).

3. Management of Hazardous Secondary Materials

On March 7, 2012, as required by 40 CFR 260.42 and 261.4(a)(23)(vi), Industrial Laminates notified EPA Region 7 that it intended to claim the exemption to the definition of solid waste described in 40 CFR 261.2(a)(2)(ii) and 261.4(a)(23). The notification was received at EPA on March 12, 2012. Industrial Laminates claimed this exemption for used solvent wash, a hazardous secondary material that is reclaimed at the generator facility. This material is not subject to other exemptions, as required by 40 CFR 261.4(a)(23)(iv). Before the inspection, I reviewed the notifications on file at the EPA Region 7 Records Center (see Attachment 9, Pages 14 and 15). I inspected the facility for the requirements for this exemption (see Attachment 10).

Used solvent wash generated from cleaning treater pans and equipment is reclaimed in a still operated by the Industrial Laminates facility. As required for the exemption by 40 CFR 40 CFR 262.2(c)(1)(A) and (B), it is not burned, applied to the land, or otherwise used in a manner constituting disposal. The still is under the control of the generator, as required by 40 CFR 261.4(a)(23)(ii).

Before its reclamation, used solvent is held in containers that control the movement of the solvent into the environment (see Attachment 8, Photographs 4 through 6), as required by 40 CFR 261.4(a)(23)(i). These containers are equivalent to the containers used to hold other raw materials at the facility, and they are labeled with their contents.

As required for the exemption by 40 CFR 261.4(a)(23)(iii), the facility does not speculatively accumulate solvent for reclamation. The facility maintains a log of distillation runs, tracking the amount and type of solvent recovered (see Attachment 11). Each run begins with a 55-gallon container of used solvent wash. During the inspection, I observed approximately 10 containers of in-process material.

The facility is legitimately reusing the solvent reclaimed, as required by 40 CFR 261.4(a)(23)(v). Reclaimed solvent is pumped into a 200-gallon tank in the compounding area. The tank was in good condition and labeled as "ace wash." According to Mr. Delaney, all of the reclaimed solvent is used, but the facility uses approximately 95 percent virgin solvent because of the relatively small amount of reclaimable used solvent wash generated by the facility.

As a result of my inspection, I concluded that the facility had met the requirements for the exemptions in 40 CFR 261.2(a)(2)(ii) and 261.4(a)(23). Thus the used solvent wash that I observed in 55-gallon containers around the facility is exempt from the definition of solid waste, and, therefore, exempt from the management requirements in 40 CFR 262.34(a) and 262.34(c).

4. Waste Streams

This section of the CEI describes the waste streams generated by the facility, including the facility's waste determination and waste codes, generation process and rate, on-site management, and ultimate disposition. The following discussion of waste streams is based on the visual inspection and on conversations with Messrs. Johnson and Delaney. During the visual inspection, I was accompanied by Messrs. Johnson and Delaney. The visual inspection included the laboratory, the compounding area, the three outbuildings, the maintenance areas, the seven less-than-90-day CSAs, and the four SAAs. All inspection participants were provided a copy of U.S. Federal Codes 1001 and 1002, which they read.

Scrap is generated when polymer pans and treater equipment is cleaned with solvent, both during and at the end of a production run. This waste stream includes all non-melamine scrap (phenolic epoxy scrap and anhydride scrap). The facility considers this material hazardous (D001, F003, F005) based on product and process knowledge and testing; Attachment 12 includes the MSDSs for the most commonly used polymers and waste profile for the scrap. Acetone and toluene are the solvents most commonly used by the facility for cleaning. In 2011, the facility generated approximately 43,000 pounds of scrap (see Attachment 9). The scrap is collected by Savannah Transport and taken to the RINECO facility in Benton, Arkansas. It was last collected on April 20, 2012 (see Attachment 13, Pages 1 and 2).

During the inspection, I observed scrap in three containers in the product testing SAA in the laboratory (see Attachment 8, Photograph 7). The containers were closed, labeled as "hazardous waste," and in good condition. Altogether, the three containers held approximately 6 gallons of waste. I also observed scrap in 55-gallon containers in five of the seven CSAs:

- One container in the Treater 1 CSA (see Attachment 8, Photograph 4)
- 12 containers in the still room (see Attachment 8, Photographs 3, 8, and 9)
- Two containers in the Treater 4-6 CSA (see Attachment 8, Photograph 6)
- One container in the Treater 9 CSA (no photograph)
- 67 containers in the lean shed CSA (see Attachment 8, Photograph 10).

All containers were closed, in good condition, dated, and labeled as "hazardous waste." The oldest container of scrap that I observed was in the lean shed and was dated March 29, 2012.

Melamine waste is generated from disposal of spent melamine polymer, which cannot be reclaimed in the still, and the wash water used to clean the treater. The facility considers this material hazardous (D001, F003, F005) based on product and process knowledge and testing. In 2011, the facility generated approximately 63,000 pounds of melamine waste (see Attachment 9). It is collected by Savannah Transport and taken to the RINECO facility in Benton, Arkansas. It was last collected on April 20, 2012 (see Attachment 13, Pages 1 and 2).

During the inspection, I observed melamine waste in one 55-gallon container in the Treater 4-6 CSA (see Attachment 8, Photograph 6) and 12 containers in the lean shed CSA (see Attachment 8, Photograph 10). All containers were closed, in good condition, dated, and labeled as "hazardous waste." The oldest container of melamine waste that I observed was in the lean shed and was dated April 19, 2012.

Used solvent rags are generated when rags are used to wipe down treaters after use, and during cleaning of equipment. The facility considers this material hazardous (D001, F003, F005) based on product and process knowledge and testing. Acetone and toluene are the solvents most commonly used by the facility for cleaning. In 2011, the facility generated approximately 10,000 pounds of used solvent rags (see Attachment 9). The used solvent rags are collected by Savannah Transport and taken to the RINECO facility in Benton, Arkansas, for disposal. They were last collected on April 20, 2012 (see Attachment 13, Pages 1 and 2).

During the inspection, I observed used solvent rags in a 7.5-gallon container in the SAA in the compounding area. The container was closed, labeled as "hazardous waste," and in good condition. I also observed used solvent rags in 55-gallon containers in four of the seven CSAs:

- Two containers in the still room (see Attachment 8, Photographs 3, 8, and 9)
- One container in the Treater 4-6 CSA (see Attachment 8, Photograph 6)
- One container in the Treater 9 CSA (no photograph)
- Six containers in the lean shed CSA (see Attachment 8, Photograph 10).

All containers were closed, in good condition, dated, and labeled as "hazardous waste." The oldest container of used solvent rags that I observed was in the lean shed and was dated March 14, 2012.

Still bottoms are generated when solvent is reclaimed in the on-site still. Any solid polymer material, such as particulate strained from raw materials or absorbent material swept up during spill cleanup, is also included in the still bottoms waste stream. The facility considers this material hazardous (D001, F003, F005) based on product and process knowledge and testing. Acetone and toluene are the solvents most commonly used by the facility for cleaning. In 2011, the facility generated approximately 10,000 pounds of still bottoms (see Attachment 9). The still bottoms are collected by Savannah Transport and taken to the RINECO facility in Benton, Arkansas, for disposal. They were last collected on April 20, 2012 (see Attachment 13, Pages 1 and 2).

During the inspection, I observed still bottoms in 55-gallon containers in three of the seven CSAs:

- One container in the still room (see Attachment 8, Photographs 3, 8, and 9)
- One container in the Treater 9 CSA (no photograph)
- Three containers in the lean shed CSA (see Attachment 8, Photograph 10).

All containers were closed, in good condition, dated, and labeled as "hazardous waste." The oldest container of still bottoms that I observed was in the lean shed and was dated March 30, 2012.

Waste laminate is generated when finished laminate is cut and shaped. The facility considers this material nonhazardous based on process and product knowledge; Attachment 12 includes the MSDSs for the most commonly used polymers. According to Mr. Johnson, the facility consolidates the waste laminate with the general trash, so the facility does not track a generation rate for this waste stream. The

general trash is accumulated in rollaway containers around the facility, collected by Reliable Dumpster, and transported for disposal to the Winneshiek County Sanitary Landfill in Decorah, Iowa.

Laboratory waste is the spent reagents and off-specification chemicals generated in the facility's R&D and QC laboratory. The primary wastes are spent acids, spent bases, and ethylene dibromide. The facility considers this waste hazardous (D002) based on process and product knowledge. Mr. Johnson estimated that the facility generates approximately 2 gallons of laboratory waste per year, and said that it had not been collected for disposal since September 2009. According to Mr. Delaney, this laboratory waste will be collected by Savannah Transport and taken to the RINECO facility in Benton, Arkansas.

During the inspection, I observed nine 2-gallon containers in a SAA in the chemical storage cabinet adjacent to the laboratory (see Attachment 8, Photographs 11 through 13). This cabinet is used for storage of all chemicals used in the laboratory, including unused and in-use reagents. The nine containers altogether held approximately 6 gallons of waste. All containers were closed, in good condition, and labeled as "hazardous waste."

Used oil is generated during maintenance of the facility's hydraulic equipment. This facility considers this waste nonhazardous based on process and product knowledge. According to Mr. Delaney, the facility generates approximately 9,000 gallons of used oil per year. It is collected by Safety-Kleen Systems (SK) and transported to the SK facility in Davenport, Iowa, for recycling. It was last collected on March 16, 2012, manifested as "oily water" (see Attachment 13, Page 28).

During the inspection, I observed used oil stored in two aboveground storage tanks in a maintenance area. Both tanks were in good condition, and the larger tank (approximately 9,000 gallons) was labeled as "used oil" (see Attachment 8, Photograph 14). However, the smaller tank (approximately 350 gallons) was not (see Attachment 8, Photograph 15). I concluded that the facility had failed to label a used oil storage tank as "used oil," as required by 40 CFR 279.22(c)(1) (**NOPF No. 1**). I provided compliance assistance regarding management of used oil.

Used oil filters are generated during maintenance of the facility's hydraulic equipment. This facility considers this waste nonhazardous based on process and product knowledge, and these are managed as used oil. According to Mr. Delaney, the facility generates approximately 15 used oil filters per year. These are transported by the facility in a single 55-gallon container to Clayton County Recycling, an auto salvage yard in Monona, Iowa, for used oil recycling.

During the inspection, I observed three unpunctured used oil filters draining into the smaller, unlabeled used oil tank (see Attachment 8, Photograph 16). Mr. Delaney estimated that these filters had been generated within a day or two of the inspection. I did not observe any used oil filter storage containers. I provided compliance assistance regarding management of used oil filters.

After the inspection, I attempted to determine if Clayton County Recycling was a recognized used oil collection center, but I could not find it on either the RCRA Information System database maintained by EPA or on the Iowa Department of Natural Resources Financial and Business Assistance listing of recognized automotive recycling centers. As a result, I concluded after the inspection that the facility had failed to transport the used oil filters to a used oil collection center that is registered, licensed, permitted, or recognized by a state/county/municipal government to manage used oil, as required by 40 CFR 279.24(a)(3) (**NOPF No. 5**). I updated the NOPF and notified Mr. Johnson by email on June 6, 2012.

Used parts washing solvent is generated in the facility's maintenance area in its parts washer. The facility considers this waste hazardous (D039) based on product and process knowledge. The solvent used in the parts washer is SK's premium solvent, which consists primarily of high flash petroleum distillates (see Attachment 14). However, because of the solvent recycling process, this solvent is sometimes contaminated with tetrachloroethene. In 2011, the facility generated 85 gallons of used parts washing solvent (see Attachment 9). The used parts washing solvent is collected by SK and transported to the SK facility in Davenport, Iowa. It was most recently collected on February 29, 2012 (see Attachment 13, Pages 29 and 30).

During the inspection, I observed used parts washing solvent in a 30-gallon SAA container in the maintenance area, adjacent to the parts washer (see Attachment 8, Photograph 17). The container was in good condition, closed, and labeled as hazardous waste.

Used lamps are generated during facility maintenance. The facility uses both green-tipped and silver-tipped tube fluorescent lamps and high-intensity discharge (HID) lamps. The facility considers the green-tipped lamps nonhazardous and the silver-tipped and HID lamps hazardous (D009) based on product knowledge. They are all managed as universal waste. According to Mr. Delaney, the facility generates approximately 500 used lamps per year, and these are collected for recycling two or three times a year by

Retrofit Recycling of Owatonna, Minnesota (see Attachment 15). The date on the bill of lading could not be read, but Mr. Delaney estimated that the last collection had occurred in December 2011.

During the inspection, I observed used lamps in two locations—in the boiler room, where they are accumulated, and in one of the outbuildings (Pole Barn #1), where they are stored. In the boiler room, I observed two containers of 4-foot lamps, one container of high-intensity discharge (HID) lamps, and one container of 8-foot lamps (see Attachment 8, Photographs 18 through 20). In the outbuilding, I observed four containers of 8-foot lamps and one container each of 4-foot and HID lamps (see Attachment 8, Photographs 21 through 25). I estimated that the facility had approximately 100 hazardous lamps in storage at the time of the inspection.

All the containers were labeled as "waste lamps," "waste fluorescent lamps," or "universal waste lamps." All containers were dated, with the oldest date being August 2, 2011. The containers of 4-foot and 8-foot lamps were all closed, but the flaps on the two containers of HID lamps were only tucked closed (see Attachment 8, Photographs 18 and 25). I concluded that the facility had failed to close containers of universal waste lamps, as required by 40 CFR 273.13(d)(1) (**NOPF No. 2**). This finding is repeated from the 2007 inspection. I provided compliance assistance regarding management of used lamps. Containers that had been incorrectly labeled "waste bulbs" had been correctly labeled as "waste lamps" prior to this inspection, according to Mr. Delaney. Universal waste storage areas are included in the facility's regular weekly inspections.

Used batteries are generated during facility maintenance, including nickel-cadmium, lead-acid, and alkaline batteries. The facility considers the used batteries hazardous (D006, D008) based on product knowledge, and these are managed as universal waste. The facility generates approximately 30 gallons of used batteries per year, and these are collected for recycling by Retrofit Recycling of Owatonna, Minnesota (see Attachment 15). Used batteries were not collected during the most recent recycling event. Mr. Delaney estimated that the last collection had occurred in June 2011.

During the inspection, I observed used batteries in two locations—in the server room (see Attachment 8, Photograph 26) and in the maintenance area. Both containers were labeled as "universal waste batteries" and dated June 22, 2011. I estimated that the facility had approximately 10 gallons of batteries in storage at the time of the inspection.

Empty containers are generated when raw materials are drained from containers. Because the containers meet the RCRA definition of empty, the facility considers these nonhazardous waste based on process and product knowledge. The facility does not use any P-listed commercial chemical products that would require triple rinsing the containers. Empty containers are collected in a semi truck trailer outside the outbuildings (see Attachment 8, Photograph 27). If these cannot be reused to hold in-process materials or to serve as SAA or CSA containers, they are collected by Consolidated Container Company of Minneapolis, Minnesota, to be reconditioned or recycled as scrap metal. Mr. Delaney estimated that the facility generates one semi-trailer truckload (approximately 4,000 cubic feet) of empty containers every 4 months.

Remediation-derived well water is generated by the groundwater extraction system operating at the facility. The facility makes a waste determination based on product and process knowledge and remediation investigation analyses. According to the Biennial Report, in the past, the facility has manifested this waste as characteristic (D001, D007, D008) and listed (F003, F005) hazardous waste. In 2011, the facility generated approximately 49,000 pounds of remediation-derived well water (see Attachment 9). It is collected by Veolia Technical Solutions (Veolia) and transported for disposal to the Veolia facility in Port Arthur, Texas, or in Sauget, Illinois. It was last collected on November 7, 2011 (see Attachment 13, Page 23).

During the inspection, I observed a 300-gallon container of remediation-derived well water in the well water CSA (see Attachment 8, Photograph 28). It was in good condition, closed, labeled as "hazardous waste," and dated April 23, 2012.

General facility trash is generated from facility maintenance and cleaning, and includes office trash. The facility considers the general facility trash nonhazardous based on product and process knowledge. General trash includes, but is not limited to, paper, food waste, packaging, and waste laminate. The general trash is collected in a rollaway containers around the facility. Mr. Johnson estimated that the facility generates approximately 10 tons of general trash per week. The general trash is accumulated in rollaway containers around the facility, collected by Reliable Dumpster, and transported for disposal to the Winneshiek County Sanitary Landfill in Decorah, Iowa.

5. Container Storage Areas

I was accompanied by Messrs. Johnson and Delaney to the seven less-than-90-day CSAs. One CSA is located in the outbuilding called the lean shed. The other six CSAs are in the south end of the main

building (the manufacturing CSAs) (see Attachment 7). The facility inspects all seven CSAs as part of a program of weekly inspection, and maintains logs of its inspections (see Attachment 16). I reviewed 3 years of these logs and observed three gaps of more than 1 week:

- August 19, 2011, and September 7, 2011
- September 16, 2011, and September 27, 2011
- December 2, 2011, and December 13, 2011.

I concluded that the facility had failed to conduct weekly inspections of CSAs, as required by 40 CFR 262.34(a)(1)(i) referencing 265.174 **(NOPF No. 3)**. I provided compliance assistance regarding inspections of CSA.

The lean shed CSA had 88 full 55-gallon containers of waste (see Attachment 8, Photograph 10), including:

- 12 containers of melamine waste
- 67 containers of scrap
- Three containers of still bottoms
- Six containers of used solvent rags.

The oldest container I observed in this CSA was a container of used solvent rags dated March 14, 2012. I observed spill kits, two fire extinguishers, and a telephone in the building (see Attachment 8, Photographs 29 and 30). The containers had adequate aisle space to observe container condition, and all containers were turned with their labels facing out.

The maintenance CSAs had the following containers in storage:

CSA	Wastes Stored	Oldest Container
Treater 1	• One container of scrap	May 12, 2012
Still Room	• 12 containers of scrap • Two containers of used solvent rags • One container of still bottoms	April 18, 2012 (used solvent rags)
Treater 4-6	• Two containers of scrap • One container of used solvent rags • One container of melamine waste	May 9, 2012 (scrap)
Well Water CSA	• One container of remediation-derived well water	April 23, 2012
Treater 8	• None	
Treater 9	• One container of scrap • One container of used solvent rags • One container of still bottoms	April 12, 2012 (scrap)

These CSAs share a spill kit, which is kept just outside the still room (see Attachment 8, Photograph 31). The building is plumbed with a sprinkler system, and most CSAs also have a nearby fire extinguisher (see Attachment 8, Photographs 8 and 32). Telephones are located in the lunch room near the Treater 1 CSA, next to the spill kit, adjacent to the Treater 4-6 CSA, and just outside the Treater 9 CSA (see Attachment 7).

6. Manifests, Bills of Lading, and Biennial Report

I reviewed approximately 20 of the approximately 60 manifests generated by the facility within the last 3 years, including all manifests generated in 2012. Copies of some recent hazardous waste manifests are included as Attachment 13. Before the CEI, I reviewed the 2011 Biennial Report, which had been submitted to EPA before the deadline of March 1, 2012 (see Attachment 9). No deficiencies were noted during review of the manifests, bills of lading, or Biennial Report.

7. Personnel Training Requirements

Personnel training is required for LQGs by 40 CFR Part 262.34(a)(4) referencing 265.16. Training is required to ensure that employees are thoroughly familiar with proper waste handling procedures relevant to their responsibilities. I reviewed the last 3 years of documentation confirming that annual hazardous waste training had been completed (see Attachment 17). This documentation also included a record of training provided to Mr. Delany in 2011 by an off-site training firm. No training records were available for the period between 2009 and 2012. According to Messrs. Johnson and Delaney, no training was provided during this period. I concluded that the facility had failed to conduct annual training of hazardous waste personnel, as required by 40 CFR 262.34(a)(4) referencing 265.16(c) (**NOPF No. 4**). I provided compliance assistance regarding annual RCRA training.

I requested a copy of training materials documenting the topics included for training as of 2012 (see Attachment 18). The training material includes a list of the job descriptions that require RCRA training (see Attachment 18, Page 1). I verified that the training did include emergency response and implementation of the contingency plan.

During the CEI, I requested the written job descriptions for personnel responsible for management of hazardous waste and implementation of the contingency plan (see Attachment 19). These descriptions include duties, qualifications, skills, and education.

8. Preparedness and Prevention and Contingency Plan

As a LQG, Industrial Laminates is required to arrange for emergency response with local emergency agencies and to designate an emergency coordinator (EC) for the facility. Industrial Laminates has an emergency response plan that meets the definition of a RCRA contingency plan (see Attachment 20). I reviewed the contingency plan during the CEI. According to Mr. Johnson and the plan, the facility has made arrangements for emergency response with local emergency agencies, including the Postville Police Department, the Postville Fire Department, Veterans Memorial Hospital, and the Allamakee County Emergency Response Committee.

The contingency plan includes descriptions of required responses to fire, spill, explosions, and tornadoes; evacuation route and procedures; arrangements with local response agencies; and location and capabilities of emergency response equipment. The contingency plan includes the home addresses and home phone numbers for the primary (Ms. Doeppke) and alternate ECs for each shift (Mr. Shawn Thurn, Mr. Gaylon Jennings, and Mr. Rod Bries) (see Attachment 20, Page 2). The work phone number for Ms. Doeppke is provided on Page 6. According to Mr. Delaney, if needed, alternate ECs would be contacted using the x477 emergency telephone number, as they are not typically at desks. I provided compliance assistance regarding updates of the contingency plan.

9. Air Emissions: 40 CFR Part 265 Subparts AA, BB, CC

EPA regulations contained in 40 CFR Part 265, Subparts AA, BB, and CC apply to LQGs. If a LQG manages hazardous waste with an organic concentration greater than 10 parts per million by weight (ppmw), the standards found in Subpart AA apply to hazardous waste air emissions from certain process vents. A process vent used in distillation, fractionation, solvent extraction, thin-film evaporation, air stripping, or steam stripping is regulated by Subpart AA. Industrial Laminates is not subject to the Subpart AA regulations because the facility does not have any of the process vents listed above in contact with hazardous wastes.

If a LQG has equipment that contains or contacts hazardous waste composed of 10 percent or greater organics by weight, the facility is subject to Subpart BB standards for inspection and monitoring of the equipment. Industrial Laminates is not subject to the Subpart BB regulations because it does not have equipment that contains or comes in contact with hazardous waste with an organics concentration exceeding 10 percent.

The standards found in Subpart CC apply to LQGs that manage hazardous waste in containers with volatile organic compounds (VOC) concentration that exceeds 500 parts per million by weight (ppmw). Wastes generated at the facility, including scrap, melamine waste, and still bottoms, have a VOC concentration that exceeds 500 ppmw at the point of generation. During the CEI at Industrial Laminates, I therefore inspected the facility for the requirements of Subpart CC. Industrial Laminates meets the Subpart CC requirements for containers by using Container Level 1 controls (containers smaller than 122 gallons that are Department of Transportation-approved). I did not find any deficiencies with regard to the facility's management of hazardous waste in containers and its compliance with the Subpart CC requirements.

10. Summary of Preliminary Findings

In summary, as part of the CEI, I made the following preliminary findings:

(1) Failure to label a used oil storage tank as "used oil," as required by 40 CFR 279.22(c)(1) (**NOPF No. 1**).

(2) Failure to close containers of universal waste lamps, as required by 40 CFR 273.13(d)(1) (**NOPF No. 2**).

(3) Failure to conduct weekly inspections of CSAs, as required by 40 CFR 262.34(a)(1)(i) referencing 265.174 (**NOPF No. 3**).

(4) Failure to conduct annual training of hazardous waste personnel, as required by 40 CFR 262.34(a)(4) referencing 265.16(c) (**NOPF No. 4**).

(5) Failure to transport the used oil filters to a used oil collection center that is registered, licensed, permitted, or recognized by a state/county/municipal government to manage used oil, as required by 40 CFR 279.24(a)(3) (**NOPF No. 5**).

NOPF No. 5 was added after the inspection and communicated to the facility by email on June 6, 2012. Other than items specifically noted in the narrative, I observed no additional issues. However, further review by EPA may change or add to my findings.

Heather K. Wood
Geologist
Tetra Tech EM Inc.

Date: 6/20/12

WEMM Inspection Report/Enforcement Case Process Checklist

Facility Name: Industrial Laminates/Norplex, Inc.
RCRA ID No.: IAD073489288

Section 1 Report Review		
Initials	**Date**	**Activity (Database)**
	05/14/2012	Inspection Date (RCRA Info & ICIS) 6
	07/09/2012	Report received by WEMM (ICIS) 7
	07/16/2012	Report transmitted by CO
		Report mailed to facility and State
		CMEL completed for violations noted on NOV (RCRA Info & ICIS) 14/16

Do you need additional Information? YES / NO (If No, go to Section 3)

Section 2 Information Gathering		
Initials	**Date**	**Activity**
		Information Request Letter mailed (RCRA Info & ICIS) 9
		Date response to the Information Request is due (RCRA Info)
		Response to Information Request Received (RCRA Info)

Section 3 Case Status Determination		
Initials	**Date**	**Activity**
		Date determined further action (LOC, LOW, Referral, SNC) (ICIS)

Is facility a SNC? YES / NO (If YES, go to Section 7.)
If inspection report can be closed with an informal action, continue to Section 4, 5, or 6, whichever is appropriate.

Section 4 Letter of Compliance		
Initials	**Date**	**Activity**
		Letter of Compliance mail/ed (RCRA Info & ICIS) 11/28

Section 5 Referral		
Initials	**Date**	**Activity**
		Date of referral to State (KS, NE, MO), DOJ, Superfund _____ (indicate who received referral)

Section 6 Letter of Warning		
Initials	**Date**	**Activity**
		Letter of Warning Letter mailed (RCRA Info & ICIS)
		Date response to the Information Request is due (RCRA Info)
		Response to Information Request Received (RCRA Info) 28

Section 7 Order Candidates		
Initials	**Date**	**Activity**
		Date SNC determination is made (RCRA Info & ICIS) 11
		Date met with Attorney and Inspector
		Date of the Penalty Panel
		Date Notice Letter to the State sent
		Complete Multimedia Database memo
		Complete Penalty Calculation Worksheet
		File Complaint (RCRA Info & ICIS) 20
		File CAFO (RCRA Info & ICIS) 20

Citations on the Notice of Violation				
#	Federal/State Citation	Description	Date of Non-Compliance	Date of Compliance
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				

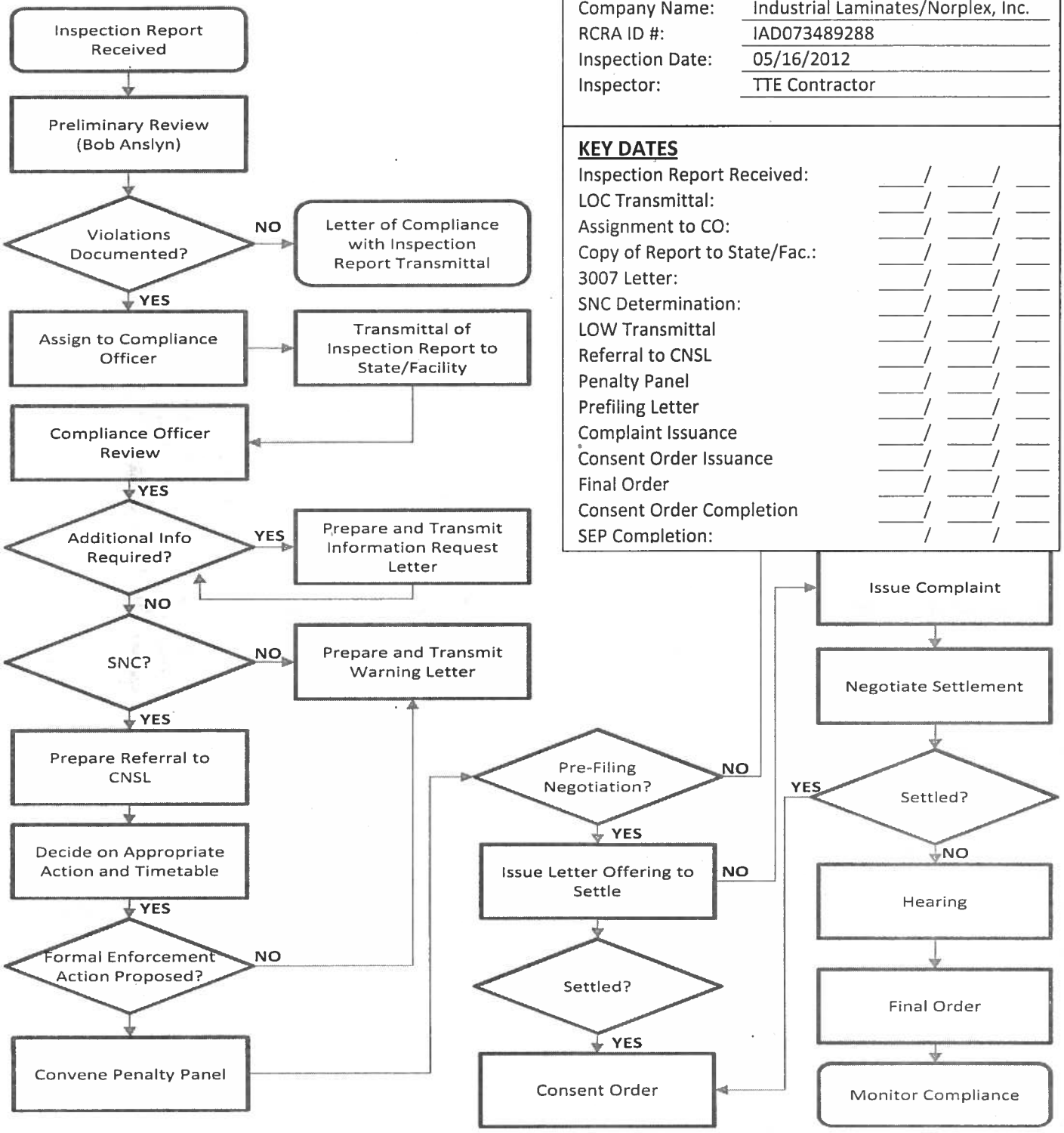
Correspondence (Telephone (T); E-Mail (E); Letter (L))		
Date	Type	Description
05/14/2012	NOPF	Received in office on June 4, 2012.
05/21/2012	Response	Response from company regarding NOPF, received on 05/25/2012.
06/11/2012	Response	Response received from company on 06/08/2012.
07/09/2012	Report	Review of Contractor Inspection Report.

Supplemental Environmental Project (SEPS)				
#	Description	Estimated Cost	Actual Cost	Date Completed
1				
2				
3				
4				
5				

Supplemental Environmental Project (SEPS)				
#	Description	Estimated Cost	Actual Cost	Date Completed
1				
2				
3				
4				
5				

Monetary Settlement	
Penalty	Amount
Proposed	
Final Settlement	

Inspection Report/Enforcement Case Processing Checklist



Company Name:	Industrial Laminates/Norplex, Inc.
RCRA ID #:	IAD073489288
Inspection Date:	05/16/2012
Inspector:	TTE Contractor

KEY DATES

Inspection Report Received:	____/____/____
LOC Transmittal:	____/____/____
Assignment to CO:	____/____/____
Copy of Report to State/Fac.:	____/____/____
3007 Letter:	____/____/____
SNC Determination:	____/____/____
LOW Transmittal	____/____/____
Referral to CNSL	____/____/____
Penalty Panel	____/____/____
Prefiling Letter	____/____/____
Complaint Issuance	____/____/____
Consent Order Issuance	____/____/____
Final Order	____/____/____
Consent Order Completion	____/____/____
SEP Completion:	/ /

Citations on the Notice of Violation				
#	Federal/State Citation	Description	Date of Non-Compliance	Date of Compliance
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

Correspondence (Telephone (T); E-Mail (E); Letter (L))		
Date	Type	Description

Supplemental Environmental Project (SEPS)				
#	Description	Estimated Cost	Actual Cost	Date Completed
1				
2				
3				
4				
5				

Supplemental Environmental Project (SEPS)				
#	Description	Estimated Cost	Actual Cost	Date Completed
1				
2				
3				
4				
5				

Monetary Settlement	
Penalty	Amount
Proposed	
Final Settlement	

ENSV Inspection Transmittal Summary Report

Media: RCRA CONTRACTO

Inspection Type: CEI

Inspection Date: 05/14/2012

Preliminary SNC Findings:

Transmittal Date:

NOV / NOPV / NOPF: Yes

Inspector: TTE CONTRACTOR TTE CONTRACTOR

Facility Name: Industrial Laminates/norplex Inc

AWMD / WEMM
JUL 09 2012
RECEIVED
Allamakee County

Address:
665 Lybrand St
Postville
IA
52162

ID Number: IAD073489288

Activity Number:

MM Participationg Progams: A,R

Federal Activity: Laminated Plastics Plate, Sheet (except Packaging), and Sha

Federal Facility: No

Potential EJ: No

SBREFA Provided:	Security Handout Provided:	MM Screening Completed:	EMS ISO 14001:	Compliance Officer:
Yes	Yes	Yes	No	BETH KOESTERER

Selection Criteria 1: IA LQG

Selection Criteria 2:

ACS Code: RCRA02

Inspection Findings:

1) Failure to label used oil tank as "used oil"
2) Failure to close containers of universal waste lamps
3) Failure to conduct weekly inspections of CSAs
4) Failure to conduct annual RCRA training
5) Failure to transport used oil filters to a recognized recycling center

Target Quality:

N/A

DATE:

SUBJECT: Review of Contractor Inspection Report

Facility: Industrial Laminates/Norplex Inc.

Location: Postville , IA

NOPF Response: Received on May 23, 2012

FROM: WEMM Reviewer/Name: _____

Please Review & Return

TO: TOCOR/Gary R. Witkovski, ENSV/EFCB

Unresolved Issues and Ideas for Program Improvement:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

-continue on back if necessary-

DATE: June 8, 2012

SUBJECT: Review of Contractor Inspection Report

Facility: Industrial Laminates/Norplex Inc.

Location: Postville, IA

1st Draft _X_
2nd Draft ___
3rd Draft ____
4th Draft ____

TO: Contract Inspector/Name: Heather K. Wood

The referenced report is:

___ Accepted; Any listed comments are for future improvement.

_X_ Not Accepted; Address the items listed below as critical, as well as for future improvement.

Issues/Concerns/Problems/Ideas for improvement

1. Page 10-The report states there are nine 2-gallon containers in a SAA storage cabinet and references photos 11 through 13. From photos 11 through 13, I can only identify eight containers. Please clarify in the report.

2. Page 14-Were there more gaps in the weekly inspections than the three time periods noted? From the way you state this information in the report, it appears there are more than the three noted. If so, the total number and dates should be provided in the report.

3. See additional comments in the report.